



February 16, 2007

HOUSE BILL No. 1687

DIGEST OF HB 1687 (Updated February 12, 2007 4:21 pm - DI 109)

Citations Affected: IC 20-32; noncode.

Synopsis: ISTEP student testing program. Specifies the components of the ISTEP test program. Transfers the authority to set the ISTEP passing score to the department of education from the state board of education. Requires scores to be returned to schools within 45 days and reported to students and parents within 15 days of when the school receives them. Requires penalties in vendor contracts for errors in grading or delays in reporting ISTEP results. Limits ISTEP testing time to six hours. Limits ISTEP testing days to six days. Requires a remediation plan for any student who does not pass the ISTEP test and requires a reassessment during the second semester. Requires the department of education to make available on its web site diagnostic assessments that may be used by schools to improve student learning. Removes a provision requiring the reversion of remediation funds to the 4R's technology program. Appropriates an additional ten million dollars for each school year in the next biennium for remediation purposes. Repeals a provision requiring the department of education to establish a pilot program to examine innovative testing methods. Makes certain other changes.

Effective: July 1, 2007.

Micon, Porter

January 26, 2007, read first time and referred to Committee on Education.
February 15, 2007, amended, reported — Do Pass. Recommitted to Committee on Ways and Means.

HB 1687—LS 7750/DI 109+



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February 16, 2007

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1687

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 20-32-5-1, AS ADDED BY P.L.246-2005, SECTION 176, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. The purposes of the ISTEP program developed under this chapter are as follows:

(1) To assess the strengths and weaknesses of school performance;

(2) To assess the effects of state and local educational programs;

(3) To compare achievement of Indiana students to achievement of students on a national basis;

(4) To provide a source of information for state and local decision makers with regard to educational matters, including the following:

(A) The overall academic progress of students;

(B) The need for new or revised educational programs;

(C) The need to terminate existing educational programs;

(D) Student readiness for postsecondary school experiences;

(E) Overall curriculum development and revision activities; (F)

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Identifying students who may need remediation under
IC 20-32-8.

~~(G) Diagnosing individual student needs.~~

~~(H) Teacher education and staff development activities.~~

**academic achievement of Indiana's students in terms of
proficiency of the state's academic standards.**

(2) To diagnose individual student learning needs.

**(3) To identify students who may need remediation under
IC 20-32-8.**

**(4) To assess school improvement by comparing each school
with its own prior performance and not to the performance of
other schools or school corporations.**

SECTION 2. IC 20-32-5-1.5 IS ADDED TO THE INDIANA CODE
AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
1, 2007]: **Sec. 1.5. The ISTEP program consist of the following
assessments:**

**(1) Readiness testing (established under IC 20-20-26 and
section 21 of this chapter).**

**(2) Indiana statewide testing for educational progress
(established under this chapter).**

**(3) Core 40 end of course assessments (established under
section 21 of this chapter).**

**(4) Local student diagnostic assessments (established under
IC 20-32-7).**

SECTION 3. IC 20-32-5-2, AS ADDED BY P.L.1-2005, SECTION
16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
2007]: **Sec. 2. ISTEP program testing shall be administered in the
following subject areas:**

(1) English/language arts.

(2) Mathematics.

**(3) Science, in two (2) grade levels determined by the state board.
department.**

**(4) Social studies in two (2) grade levels determined by the state
board. department.**

SECTION 4. IC 20-32-5-4, AS ADDED BY P.L.1-2005, SECTION
16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
2007]: **Sec. 4. (a) The state board shall**

**~~(1) authorize the development and implementation of the ISTEP
program. and~~**

**~~(2) determine the date on which the statewide testing is
administered in each school corporation.~~**

(b) The state superintendent is responsible for the overall

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development, implementation, and monitoring of the ISTEP program.

(c) The department shall prepare detailed design specifications for the ISTEP program. ~~that must do the following:~~

(1) ~~Take into account the academic standards adopted under IC 20-31-3.~~

(2) ~~Include testing of students' higher level cognitive thinking in each subject area tested.~~

(d) The department, in consultation with Indiana English/language arts, mathematics, science, and social studies teachers and state and national testing experts, shall establish the ISTEP program test passing scores and other indicators of student performance on the ISTEP program test.

(e) Notwithstanding any other law, the department may execute contracts for the administration of the ISTEP program test.

(f) The department shall include penalties in the assessment contract for delays in reporting results and errors in scoring.

SECTION 5. IC 20-32-5-7, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 7. This subsection applies to reports of scores in mathematics and English/language arts. Reports must:

(1) provide scores indicating student performance relative to each of the academic standards:

(A) established by the ~~state board;~~ **department;** and

(B) assessed by the test;

(2) be related to passing scores established by the ~~state board;~~ **department;** and

(3) contain the information listed in subdivisions (1) and (2) for the following levels:

(A) Individual student, **including a detailed analysis of the student's learning strengths and weaknesses sufficient to delineate acceleration and remediation strategies.**

(B) Classroom.

(C) School.

(D) School corporation.

(E) Indiana.

SECTION 6. IC 20-32-5-8, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 8. Reports of student scores must be:

(1) returned to the school corporation that administered the test **within forty-five (45) days after the administration of the test;** and

(2) accompanied by a guide for interpreting scores.

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SECTION 7. IC 20-32-5-9, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. (a) After reports of student scores are returned to a school corporation, the school corporation shall promptly do the following:

(1) Give each student and the student's parent the student's ISTEP program test scores **within fifteen (15) days.**

(2) Make available for inspection to each student and the student's parent the following:

(A) A copy of the essay questions and prompts used in assessing the student.

(B) A copy of the student's scored essays.

(C) A copy of the anchor papers and scoring rubrics used to score the student's essays.

A student's parent may request a rescoring of a student's responses to a test, including a student's essay.

(b) A student's ISTEP program scores may not be disclosed to the public.

SECTION 8. IC 20-32-5-10, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10. **(a)** After a school receives score reports, the school shall schedule a parent/teacher conference with ~~the following:~~

~~(1) a parent of a student who requests a parent/teacher conference on the scores of the student.~~

~~(2) The parent of each student who does not receive a passing score on the test. The conference must include a discussion of:~~

~~(A) the student's test scores, including subscores on academic standards; and~~

~~(B) the proposed remediation plan for the student.~~

(b) A school shall provide each student who does not achieve a passing score on the ISTEP program test in any of the subjects tested, and the student's parent, with a remediation plan.

SECTION 9. IC 20-32-5-11, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 11. Each school corporation shall compile the total results of the ISTEP program tests in a manner that will permit evaluation of learning progress within the school corporation. The school corporation shall make the compilation of test results available for public inspection **not later than sixty (60) days after the administration of the reassessment held during the second semester of the school year when the graduation reassessment is administered** and shall provide that compilation to the parent of each

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student tested under the ISTEP program.

SECTION 10. IC 20-32-5-15, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 15. (a) The state superintendent shall develop an ISTEP program testing schedule in which:

(1) each student in grades 3, 6, 8, and 10 must be tested; and

(2) each student in grade 10 must take a graduation examination.

(b) The state board shall adopt rules to establish when a student is considered to be in grade 10 for purposes of initially taking the graduation examination.

(a) The ISTEP program test shall be administered not later than the third Friday of September of each school year to:

(1) each student in grades 3, 6, 8, and 10; and

(2) each student in grade 10 who is required to take the graduation examination.

(b) The state board shall adopt rules to establish when a student is considered to be in grade 10 for purposes of initially taking the graduation examination.

(c) Testing time for the ISTEP program test may not exceed six (6) hours for each grade tested.

(d) Testing days for the ISTEP program test may not exceed six (6) days for grades 3, 6, and 8.

(e) Each school in which a student does not achieve a passing score in one (1) or more subject areas tested in the ISTEP test program must develop and implement a remediation plan that includes instructional and support services to be provided to meet the desired levels of performance for each student described in this subsection. The remediation plan may require low performing students to attend remediation programs held during, before, or after school hours or during the summer, if transportation is provided.

(f) A student who does not achieve a passing score in one (1) or more subject areas tested in the ISTEP test program shall be administered a reassessment on the subject matter for which the student did not achieve a passing score. The reassessment shall be administered during the second semester of the school year when the graduation examination is readministered. The reassessment may be limited to the standards for which the student has a demonstrated academic weakness.

SECTION 11. IC 20-32-5-19, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 19. If state funds appropriated for remediation are

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1 available under IC 20-32-8 at the end of a state fiscal year, the funds
2 ~~(1)~~ do not revert to the state general fund. ~~and~~
3 ~~(2) must be transferred to the 4R's technology program for use~~
4 ~~under IC 20-20-13-9.~~

5 SECTION 12. THE FOLLOWING ARE REPEALED [EFFECTIVE
6 JULY 1, 2007]: IC 20-32-5-18.

7 SECTION 13. [EFFECTIVE JULY 1, 2007] (a) There is
8 **appropriated to the department of education an additional ten**
9 **million dollars (\$10,000,000) from the state general fund for the**
10 **purpose of ISTEP test program remediation for the state fiscal**
11 **year beginning July 1, 2007, and ending June 30, 2008. There is**
12 **appropriated to the department of education an additional ten**
13 **million dollars (\$10,000,000) from the state general fund for the**
14 **purpose of ISTEP test program remediation for the state fiscal**
15 **year beginning July 1, 2008, and ending June 30, 2009.**

16 (b) This SECTION expires July 1, 2009.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1687, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 3, reset in roman "After reports of student scores are returned to a".

Page 4, line 4, reset in roman "school corporation,".

Page 4, line 4, delete "The" and insert "the".

Page 4, line 7, delete "sixty (60) days after the" and insert "**fifteen (15) days.**".

Page 4, delete line 8.

and when so amended that said bill do pass.

(Reference is to HB 1687 as introduced.)

PORTER, Chair

Committee Vote: yeas 7, nays 5.

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